IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 1769 of 2003 (S/S)

1. Ranjit Singh
   S/o Sri Pooran Singh
2. Tribhuwan Prasad
   S/o late Sri Anant Ram
3. Bir Singh Rawat
   S/o Sri Bhopal Singh Rawat

..... Petitioner

Versus

1. Assistant Engineer,
   Minor Irrigation Department,
   Tehri Garhwal.
2. Block Development Officer
   Kirtinagar, District Tehri Garhwal.

..... Respondents.

Mr. Vikas Pande, Advocate holding brief of Mr. V.B.S. Negi,
Advocate for the petitioners.
Mr. N.P. Sah, learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J.

Learned counsel for the parties are present.

2) By means of this writ petition, the petitioners, who were engaged as High Drum Operators, on daily wages by the respondent Minor Irrigation Department, have sought their regularization in service.

3) In view of the principles of law laid down in **Secretary *State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases Page 01,*** that daily workers or the persons employed without undergoing regular selection process under the rules, should not be directed to be

absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) Therefore, the writ petition is dismissed. Interim order, if any stands vacated. (All pending applications in this petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.:December 11, 2006
H.Negi